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K. Baker
Proc II

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-189886

DATE: February 9, 1978

**MATTER OF: Science Spectrum--Request for
Reconsideration**

DIGEST:

Prior decision is sustained where protester merely reiterates prior contention that specified equipment will not meet the agency's minimum needs and does not indicate any error of fact or law in prior decision.

Science Spectrum requests further consideration of its protest decided in Science Spectrum, B-189886, January 9, 1978. The decision denied its protest of the proposed award of a contract for supply of an electro-optical particle sensor, issued by the National Aeronautics and Space Administration (NASA) Lewis Research Center, Cleveland, Ohio.

Science Spectrum protested the procurement on the grounds that the specifications were defective. We held that the protester had not supported its allegation that the performance requirements in the specifications could not be met using the general design described. We also held that the protester had not shown that the solicitation did not reflect the agency's minimum needs.

Science Spectrum reiterates its opinion that the equipment described in the specifications will collect scientifically meaningless data. The firm states that it has requested the National Academy of Sciences (N.A.S) to arbitrate the questions of technical merit of the proposed procurement, but has not obtained agreement from N.A.S to participate. Science Spectrum requests our Office "to permit an even cursory review of the facts as stated by the N.A.S."

We are aware of no statement by the N.A.S. concerning this matter. Moreover, Science Spectrum's request does not present evidence demonstrating any error of fact or law in the original decision. We find there is no basis for our reconsideration of this matter.

D-189886

See CDI Marine Company--Request for Reconsideration,
B-188905, January 5, 1978, 78-? CPD___; 4 C.F.R. 20.9(f)
(1977).

Accordingly, the protester's request is denied.

R. J. K. 11/11/78
Deputy Comptroller General
of the United States